

SAMUEL LYNN HARRISON,

Plaintiff,

v.

CITY OF DURHAM, et al.,

Defendants.

On February 12, 2013, the court denied plaintiff Samuel Lynn Harrison's ("Harrison" or "plaintiff") application to proceed without prepayment of fees [D.E. 1, 4]. On March 14, 2013, Harrison paid the filing fee. On March 15, 2013, Harrison filed an amended complaint [D.E. 10].

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despite eye-witness victims' accounts." Id. 4. He seeks to "reveal to all, perpetrators especially, that Humans are NOT Resources and are endowed and entitled to Human Rights regardless of any circumstances (war or peace time alike)." Id. 3. These descriptions are a small sample of the wholly irrational amended complaint. See id. 3-8.

A case is frivolous if it "lacks an arguable basis either in law or in fact." Neitzke v. Williams, 490 U.S. 319, 325 (1989). A complaint is frivolous where "it lacks an arguable basis . . . in law." Id. "Legally frivolous claims are based on an indisputably meritless legal theory and include claims of infringement of a legal interest which clearly does not exist" Adams v. Rice, 40 F.3d 72, 75 (4th Cir. 1994) (quoting Neitzke, 490 U.S. at 327). A complaint may be frivolous where it "lacks an arguable basis . . . in fact." Neitzke, 490 U.S. at 325. Section 1915 permits federal courts "to pierce the veil of the complaint's factual allegations and dismiss those claims whose factual contentions are clearly baseless." Denton v. Hernandez, 504 U.S. 25, 32 (1992). Examples of such claims include those "describing fantastic or delusional scenarios," or claims which are otherwise manifestly "fanciful" or so wholly irrational as to lack any basis in fact. Id. at 32-33; see Adams, 40 F.3d at 74-75.

Harrison's amended complaint is filled with delusional scenarios and wholly irrational statements. The amended complaint is DISMISSED as frivolous. Harrison's other motions [D.E. 3, 9] are DENIED. The clerk shall close the case.

SO ORDERED. This 12 day of April 2013.


JAMES C. DEVER III
Chief United States District Judge